

State of South Dakota

SEVENTY-FIFTH SESSION
LEGISLATIVE ASSEMBLY, 2000

555D0502

HOUSE BILL NO. 1086

Introduced by: Representatives Duniphan and Chicoine and Senators Ham and Reedy

1 FOR AN ACT ENTITLED, An Act to revise the type of machinery that may be purchased for
2 maintaining municipal cemeteries.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF SOUTH DAKOTA:

4 Section 1. That § 9-32-20.1 be amended to read as follows:

5 9-32-20.1. If a municipality finds it necessary to acquire ~~heavy~~ machinery to maintain the
6 cemetery and to open and close graves, a portion of the perpetual care trust fund may be used
7 ~~under the following conditions:~~ if the trust fund is in the amount of fifty thousand dollars or
8 more; and the governing board deems it necessary to purchase ~~heavy~~ machinery for the proper
9 interment of the deceased; However, only one thousand dollars for each five thousand dollars
10 in excess of fifty thousand may be expended to purchase ~~heavy~~ machinery for cemetery uses
11 only. The expenditure of perpetual care trust funds as provided for in this section may only be
12 used once in a seven-year period.

13 Section 2. That § 9-32-20.2 be repealed.

14 ~~9-32-20.2. For the purposes of § 9-32-20.1, heavy machinery includes diesel or gas~~
15 ~~backhoes, front-end loaders and other similar machinery with the purchase price of ten thousand~~
16 ~~dollars or greater. Heavy machinery does not include small riding lawn mowers, power rakes,~~
17 ~~sod cutters, lawn vacuums or other similar machinery.~~